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Tammie B. McFarland

4-18-05
Date of Signature

In re Application of:
Melton et al.



Art Unit: 2874

Examiner: Unknown

Title: PRECONNECTORIZED FIBER OPTIC
DROP CABLES AND ASSEMBLIES

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, Applicants bring to the attention of the Examiner the document(s) listed on the attached PTO 1449. This Information Disclosure Statement is being filed:

☒ Under 1.97(b) after the filing date of the application, but, to the best of Applicants' knowledge:

☐ within three (3) months of the filing date of the National application, which is not a continued prosecution application (CPA) under § 1.53(d); OR

☐ within three (3) months of the date of entry of the National stage as set forth in §1.491 in an international application; OR

☒ before the mailing of a first Office Action on the merits; OR

☐ before the mailing of the first Office Action after the filing of a Request for Continued Examination (RCE) under § 1.114.

☐ Under 1.97(c) after the events recited above, but, to the best of Applicants' knowledge before the mailing date of any of a final action under § 1.113, a Notice of Allowance under

§ 1.311, or an action that otherwise closes prosecution in the application, and this submission is accompanied by:

- ☐ the statement specified in § 1.97(e); OR
- ☐ the fee set forth in § 1.17(p).
- ☐ Pursuant to 1.97(d) after the events recited above, but, to the best of Applicants'

knowledge before payment of the issue fee, and this submission is accompanied by:

- ☐ the statement specified in § 1.97(e); AND
- ☐ the fee set forth in § 1.17(p).

STATEMENT SPECIFIED IN § 1.97(e)

Pursuant to 1.97(e), Applicants hereby state and affirm that:

- ☐ each item of information contained in the information disclosure statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of this information disclosure statement; OR
- ☐ no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in § 1.56(c) more than three (3) months prior to the filing of this information disclosure statement.

Pursuant to the waiver of the requirement under 37 CFR 1.98(a)(2)(i), no copies of U.S. patents and/or U.S. patent application publications are included herewith because the above-identified application was filed after June 30, 2003.

Applicants respectfully request that the Examiner consider the listed document(s) and indicate that they were considered by making appropriate notations on the attached form. This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed document(s) are material or constitute "prior art." If the Examiner applies any of the document(s) as prior art against any claims in the application and Applicants determine that the cited document(s) do not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such document(s). Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed document(s), should one or more of the document(s) be applied against the claims of the present application. If there are any fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 19-2167.

Respectfully submitted,



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Date: 4/18/05

FORM PTO-1449 U.S. Department of Commerce Patent and Trademark Office				Attorney Docket Number: HE0218		Serial Number: 10/765,428	
LIST OF RELATED DOCUMENTS CITED BY APPLICANT (Use separate sheets if necessary)							
Applicant: Melton et al.				Filing Date: January 27, 2004		Group: 2874	
U. S. PATENT DOCUMENTS							
Examiner Initial	Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate	
AA	6,466,725	10/15/02	Batthey et al.	385	135	11/29/00	
AB	6,619,697	9/16/03	Griffioen et al.	285	126.1	12/27/00	
AC							
AD							
AE							
AF							
AG							
AH							
AI							
AJ							
AK							
FOREIGN PATENT DOCUMENTS							
	Document Number	Date	Country	Class	Subclass	Translation Yes No	
AL	62-054204	3/9/87	Japan	G02B	6/24	Yes	
AM	3537684	4/23/87	Germany	G02B	6/24	Yes	
AN	2001116968	4/27/01	Japan	G02B	6/44	Yes	
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)							
AO							
AP							
AQ							
EXAMINER						DATE CONSIDERED	

*EXAMINER Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.